

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

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November 14, 2012

MEMO TO COUNSEL RE: Mario Salinas, et al. v. Commercial Interiors, et al.
Civil No. JFM-12-1973

Dear Counsel:

I have reviewed the memoranda submitted in connection with the motion to dismiss plaintiffs' complaint filed by Commercial Interiors, Inc. (document 15). The motion is granted but plaintiffs are given leave to file an amended complaint setting forth more particularly the grounds for their averments that Commercial Interiors controlled and directed their work and that it had the authority to hire and fire plaintiffs. I believe that further particularity concerning these allegations is required by *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007), particularly in light of the fact that plaintiffs' claims arise in the context of construction projects where traditionally it has been understood that employees of subcontractors are not, *ipso facto*, employees of the general contractor.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge